

State Water Resources Control Board

April 9, 2019

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 6724

Ms. Karen Mejia
Associate Business Management Analyst
California Highway Patrol
P.O. Box 942898
Sacramento, California 94298
karen.mejia@chp.ca.gov

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT CALIFORNIA HIGHWAY PATROL, 3051 AIRPORT DRIVE,
MADERA**

Dear Ms. Mejia:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on March 27, 2019, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Operating Permit – A copy of the current operating permit was not available at the time of inspection.	Unleaded	March 27, 2019	Ongoing	H&SC 25284(a); 23 CCR 2712(i)
2	Failure to Maintain Response Plan – The response plan in CERS must be updated to reflect the current owner/operator.	Unleaded	March 27, 2019	Ongoing	23 CCR 2632(d)(2)
3	Failure to Maintain Owner/Operator Statement of Understanding and Compliance – An Owner/Operator Statement of Understanding was not available at the time of inspection.	Unleaded	March 27, 2019	Ongoing	23 CCR 2715(a)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Provide Designated Operator (DO) Training – A current list of employees trained by the DO was not available at the time of inspection. At least one facility employee present during operating hours shall have current DO training. A trained employee was not present at the time of inspection.	Unleaded	March 27, 2019	Ongoing	23 CCR 2715(c)
5	Failure to Meet Monthly DO Inspection Requirements – The DO monthly report for October and November 2018 were not recorded on the new “Designated Underground Storage Tank Operator Visual Inspection Report Form.”	Unleaded	October 31, 2018	December 12, 2019	23 CCR 2716(c)
6	Failure to Maintain Monitoring Plan – In CERS, under tank monitoring, leak sensor model lists a VR 420; however, that sensor model is not designed for fiberglass tank use.	Unleaded	March 27, 2019	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1)
7	Failure to Maintain Testing Records Onsite – The 2017 secondary containment test report was not available at the time of inspection.	Unleaded	March 27, 2019	Ongoing	H&SC 25293; 23 CCR 2712(b)
8	Failure to Perform Overfill Prevention Equipment Inspection – The overfill prevention equipment inspection was due on October 13, 2018. It was not performed until January 25, 2019.	Unleaded	October 14, 2018	January 25, 2019	23 CCR 2637.2 (a)(1)
9	Failure to Monitor Product Piping – The sensor located inside fill sump is unable to detect a leak at the earliest opportunity because the sensor is not in a vertical position.	Unleaded	March 27, 2019	Ongoing	23 CCR 2630(d)
10	Failure to Meet Under Dispenser Containment (UDC) Requirements – The UDC is smaller than the dispenser footprint and is not able to provide secondary containment for all primary containment within the dispenser.	Unleaded	March 27, 2019	Ongoing	23 CCR 2636(g), 2666(e)

No.	Violation	Tank	Start Date	Stop Date	Regulation
11	Failure to Tag Monitoring Equipment – A current monitoring certification tag was not attached to the fill sump and UDC sensors or the monitoring panel.	Unleaded	March 27, 2019	Ongoing	23 CCR 2638(f)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Madera County Environmental Health within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance. Additionally, in CERS, under financial responsibility mechanism, please unselect self-insured. State agencies should list exempt. Lastly, please confirm the pipe monitoring in the turbine sump and that tags are affixed to the monitoring equipment and annular sensor.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

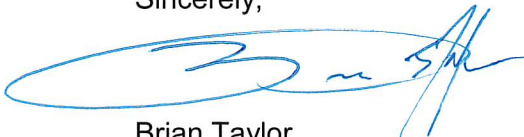
Local CUPA

Ms. Phengphanh Phondeth
CUPA Program Manager
Madera County Environmental Health
200 West 4th Street
Madera, California 93637
phengphanh.phondeth@madera-county.com

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 323-0600, or by email at brian.taylor@waterboards.ca.gov.

Sincerely,



Brian Taylor
Senior Engineering Geologist (Supv.)
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Phengphanh Phondeth
CUPA Program Manager
Madera County Environmental Health
phengphanh.phondeth@madera-county.com

Sgt. Larry Gale
Administrative Supervisor
California Highway Patrol, Madera
lgale@chp.ca.gov